

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

NOEL D.E. DANDY,
Plaintiff,

v.

C.A. 10-291 S

MONRO MUFFLER CORPORATION,
ET AL.,
Defendants.

ORDER

The Report and Recommendations of United States Magistrate Judge Lincoln D. Almond filed on December 7th, 2010 (ECF #3) in the above-captioned matter is hereby accepted pursuant to Title 28 United States Code § 636(b)(1). No objection having been filed to the Report & Recommendation, the plaintiff's Motion for Leave to Proceed *in forma pauperis* (ECF #2) is GRANTED. Further, pursuant to 28 U.S.C. §1915(e)(2) the plaintiff's Complaint (ECF #1) is hereby DISMISSED WITHOUT PREJUDICE for failure to state a claim on which relief may be granted.

ENTER:

WESMM
William E. Smith
United States District Judge

Date: 3/21/12